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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,685	01/15/2004	Kazuhisa Shimizu	15115.102001	4949
7590	10/05/2005		EXAMINER	
Jonathan P. Osha OSHA & MAY L.L.P. Suite 2800 1221 McKinney Street Houston, TX 77010			AU, SCOTT D	
			ART UNIT	PAPER NUMBER
			2635	
DATE MAILED: 10/05/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/758,685

Applicant(s)

SHIMIZU ET AL.

Examiner

Scott Au

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The application of Shimizu et al. for a "Remote controller for keyless entry" filed January 15, 2004 has been examined.

Claims 1-5 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. (US# 5,592,169) in view of Gokcebay et al. (US# 6,927,670).

Referring to claim 1, Nakamura et al. disclose a remote controller for keyless entry including a case (i.e. housing of key head transmitter A) having at least a transmission antenna (7) (i.e. antenna) and a transmission circuit (6) (i.e. printed circuit board) built therein and a conductive member (1) (i.e. key) held at an end portion thereof by said case and electrically insulated (i.e. there is no communication between the key 1 and the printed circuit board) from said transmission circuit (6) (i.e. printed circuit board) (col. 2 lines 22-67; see Figures 1-2).

However, Nakamura et al. did not explicitly disclose wherein at least an entire outer surface or a part of an outer surface of said case is formed into a conductive surface and said conductive surface and said conductive member are electrically connected to each other.

In the same field of endeavor of remote control device, Gokcebay et al. suggest wherein at least an entire outer surface or a part of an outer surface of said case is formed into a conductive surface and said conductive surface and said conductive member are electrically connected to each other (col. 1 lines 63-67 and col. 9 lines 36-62).

One ordinary skill in the art understands that the conductive surface and conductive member are electrically connected to each other of Gokcebay et al. is desirable in the remote key of Nakamura et al. because Nakamura et al. and Gokcebay et al. suggest key element with electronic circuit board embedded in the key head secured with a housing and the device is used to operate a vehicle locking system (Nakamura et al., col. 1 lines 17-55 and Gokcebay et al., col. 2 lines 16-35). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include the conductive surface and conductive member are electrically connected to each other of Gokcebay et al. in the remote key device of Nakamura et al. with the motivation for doing so would allow a tight contact.

Referring to claim 2, Nakamura et al. in view of Gokcebay et al. disclose a remote controller for keyless entry according to claim 1, it is inherent that Nakamura et

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al. and Gokcebay et al. disclose the key fob device and wherein a part of said outer surface is a portion touched by a fingertip when the case is held by a hand.

Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. (US# 5,592,169) in view of Miller (US# 5,331,325).

Referring to claim 3, Nakamura et al. disclose a remote controller for keyless entry including a case (i.e. housing of key head transmitter A) having at least a transmission antenna (7) (i.e. antenna) and a transmission circuit (6) (i.e. printed circuit board) built therein and push buttons (3) (i.e. buttons) fitted to an outer surface thereof, and a conductive member (1) (i.e. key) held at an end portion thereof by said case (i.e. housing of key head transmitter A) and electrically insulated from said transmission circuit (6) (i.e. printed circuit board) (col. 2 lines 22-67; see Figures 1-2).

In the same field of endeavor of key remote device, Miller teaches wherein said push button (14) (i.e. switch) is arranged at position through wire (34) connecting elements (26,36,30) together such that when said push button (14) (i.e. switch) is operated by a fingertip, said fingertip touches said conductive member (16) (i.e. key blank) 9col. 4 lines 4-44; see Figures 1-4).

One ordinary skill in the art understands that (14) (i.e. switch) is arranged at position through wire (34) connecting elements (26,36,30) together such that when said (14) (i.e. switch) is operated by a fingertip, said fingertip touches said conductive member (16) of Miller is desirable in the key remote device of Nakamura et al. because

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Nakamura et al. and Miller suggest remote key devices are used in the vehicle operation system (Nakamura et al., col. 2 lines 25-57 and Miller, col. 1 lines 7-21). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include the (14) (i.e. switch) is arranged at position through wire (34) connecting elements (26,36,30) together such that when said (14) (i.e. switch) is operated by a fingertip, said fingertip touches said conductive member (16) of Miller in the key remote of Nakamura et al. with the motivation for doing so would allow the key blank as a communication source as an alternative of using antenna 7 of Nakamura et al. as a communication source.

Referring to claim 4, Nakamura et al. in view of Miller disclose the remote controller for keyless entry of claim 3, Nakamura et al. disclose wherein said push button is a push button for a remote engine start (col. 2 lines 40-50).

Referring to claim 5, Nakamura et al. in view of Miller disclose the remote controller for keyless entry of claim 3, Nakamura et al. disclose wherein said conductive member is a mechanical key (1) (i.e. key) (i.e. see Figure 1).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hattick et al. (US# 6,457,337) disclose a key fob for operating a vehicle security system.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Au whose telephone number is (571) 272-3063. The examiner can normally be reached on Mon-Fri, 8:30AM – 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached at (571) 272-3068. The fax phone numbers for the organization where this application or proceeding is assigned are (571)-272-1817.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Scott Au



BRIAN ZIMMERMAN
PRIMARY EXAMINER